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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,269	06/27/2003	Jace A. Weaver	2014.00060	8310

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EXAMINER
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SANDY, ROBERT JOHN

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/608,269

Applicant(s)

WEAVER, JACE A.

Examiner

Robert J. Sandy

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 4,550,829 by Strahs (herein after as Strahs).

Concerning claims 1-4, 9 and 11, Strahs discloses a clip (28) comprising: a unitary clip body (28); means (30', 32') to attach the body to the broom head; opening means (40) to receive and threadably engage (see col. 4, lines 22-24) the threaded end connector, whereby when the end connector is threadably engaged in the opening means, the handle is immovably secured along the longitudinal axis of the broom head;

(concerning claim 2) the opening mean comprises a threaded cradle (loop 40) for the threadable mating of the end connector;

(concerning claim 3) the opening mean comprises a closed threaded ring (i.e., a closed loop 40) for threadably mating of the end connector;

(concerning claim 4) the clip is an integrally molded element (“a unitary length of suitable spring steel wire”, col. 3, line 5);

(concerning claim 9) the means to attach the body to the broom head comprises downwardly extending side arms (30', 32'); and

(concerning claim 11) the unitary clip body of the clip is made of resiliently flexible material (“spring steel wire”, col. 3, line 57).

Concerning claims 5-8, 10 and 12, Strahs discloses a system (Figs 1-6) for securing an elongated handle with a threaded end connector to a broom head with a longitudinal axis, said system comprising. a plurality of handle clips (26, 28), each clip comprising a unitary body and means (30, 32, 30', 32') to attach the body to the broom head; one of the plurality of handle clips (26) having opening means (38) to receive and support the elongated body of the handle; one of the plurality of broom clips (28) having second opening means (40) to receive and threadably engage the threaded end connector; whereby when the elongated body of the handle is supported in the opening means by one of the plurality of handle clips and when the end connector is threadably engaged in the second opening means of another of the plurality of broom clips, the handle is immovably secured along the longitudinal axis of the broom head;

(concerning claim 6) the second opening means comprises a threaded cradle (loop 40) for the threadable mating of the end connector;

(concerning claim 7) the second opening means comprises a closed, threaded ring (i.e., a closed loop 40) for threadable mating with the end connector;

(concerning claim 8) each of the handle clips is an integrally molded element;

(concerning claim 10) the means to attach the body to the broom head comprises downwardly extending side arms (30, 32, 30', 32');

(concerning claim 12) the unitary clip bodies of the clips are made of resiliently flexible material (“spring steel wire”, col. 3, line 57).

*Allowable Subject Matter*

Claims would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents teach clip structure:

US 5871189 A	Hoftman; Moshe
US 3778537 A	Miller; Richard A.
US D264682 S	Van Doren; David A.
US 6109569 A	Sakaida; Kenichi
US 6715721 B2	Buck; Meirion Kenneth
US 5725185 A	Auclair; William T.
US 5669590 A	Przewodek; Kevin Donald
US 4550829 A	Strahs; Martin P.
US 2795834 A	SZOKE WILLIAM S

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**ROBERT J. SANDY**  
**PRIMARY EXAMINER**